

Message Text

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ACTION L-03

INFO OCT-01 EUR-25 ISO-00 CPR-02 SCA-01 SCS-03 CIAE-00

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R 291556Z MAY 74

FM AMEMBASSY MOSCOW

TO SECSTATE WASHDC 9242

INFO AMCONSUL LENINGRAD

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E. O. 11652: N/A

TAGS: PFOR, UR, US

SUBJ: SOVIET COMPLAINT ABOUT SALES TAX

1. DEPUTY CHIEF OF MFA'S USA DIVISION FEDOSEYEV CALLED IN
POL COUNSELOR MAY 29 AND PRESENTED ORAL STATEMENT REGARDING
STATE SALES TAX LEVIED ON SOVIET CONGEN SAN FRANCISCO.

2. TRANSLATION OF ORAL STATEMENT FOLLOWS:

THE CONSULATE GENERAL OF THE USSR IN SAN FRANCISCO HAS
FREQUENTLY BROUGHT UP WITH THE STATE DEPARTMENT THE QUESTION
OF EXEMPTING CONSULAR OFFICIALS AND EMPLOYEES OF THIS CONSULAR
ESTABLISHMENT FROM THE PAYMENT OF CALIFORNIA STATE SALES
TAXES. HOWEVER THE AMERICAN SIDE HAS NOT YET TAKEN MEASURES
TO EXEMPT THIS CATEGORY OF PERSONS FROM THE PAYMENT OF SUCH
TAXES.

THE EMBASSY'S ATTENTION IS CALLED TO ARTICLE 23 OF THE
CONSULAR CONVENTION BETWEEN THE GOVERNMENTS OF THE USSR AND
THE USA, WHICH ENVISAGES THAT CONSULAR OFFICIALS AND
EMPLOYEES OF CONSULAR ESTABLISHMENTS ARE "EXEMPT FROM ALL
TAXES OR SIMILAR CHARGES OF ANY KIND IMPOSED BY THE
RECEIVING STATE OR ANY OF ITS STATES OR LOCAL GOVERNMENTS,
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FOR THE PAYMENT OF WHICH THE OFFICER OR EMPLOYEE WOULD OTHERWISE

BE LEGALLY LIABLE." THE SAID
ARTICLE THUS RELATES DIRECTLY
TO THE GIVEN INSTANCE, SINCE CONSULAR OFFICIALS AND EMPLOYEES
OF THE SOVIET CONSULATE GENERAL ARE REQUIRED TO PAY A CHARGE
LEVIED BY LAW AS A SALES TAX COLLECTED BY THE SELLER. IN
CONNECTION WITH THE ABOVE IT IS EXPECTED THAT THE AMERICAN
SIDE, ON THE BASIS OF THE CONSULAR CONVENTION BETWEEN THE
GOVERNMENTS OF THE USSR AND THE USA, AND TAKING ACCOUNT OF
THE PRINCIPLE OF RECIPROCITY, WILL TAKE MEASURES FOR EXEMPTING
CONSULAR OFFICIALS AND EMPLOYEES OF THE SOVIET CONSULATE
GENERAL IN SAN FRANCISCO FROM PAYMENT OF THE SAID TAXES.

3. ACTION REQUESTED: WE WOULD LIKE IN DUE COURSE TO RESPOND
TO FEDOSEYEV, EVEN THOUGH ANY ACTION WILL PRESUMABLY BE TAKEN
IN WASHINGTON.
STOESSEL

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